

**STATE OF SOUTH CAROLINA
COUNTY OF JASPER**

ORDINANCE #2019-__

**AN ORDINANCE
OF JASPER COUNTY COUNCIL**

To amend the Jasper County Code of Ordinances, Chapter 6, Article III, Division 3, *Gate Access Program*, being codified as Section 6-80 through 6-85, so as to require a uniform radio controlled electronic gate opener, and related matters.

WHEREAS, the Jasper County Code of Ordinances was previously amended by adding a new Chapter 6, Article II, Division 3, *Gate Access Program* pursuant to Ordinance 2010-18, adopted September 20, 2010, so as to provide for a system of emergency responder access through security gates by using a standard access control method for all electronically operated security gates; and

WHEREAS, that ordinance provided for a preferred method of operation utilizing the “Click2Enter” (C2E) radio controlled gate opener, encouraging existing gate owners in 2010 to retrofit them for the Click2Enter opener, but requiring new gates installed after September 20, 2010 to use this opener; and

WHEREAS, with the passage of nine years, it is the desire of Council to amend the Code of Ordinances to clarify the ordinance to now require the retrofitting of gates within a time certain, instead of delaying retrofitting to the Click2Enter system until such gates are renovated;

NOW THEREFORE BE IT ORDAINED by the Jasper County Council, finding that the public health, safety and welfare requires such ordinance, in council duly assembled and by the authority of the same:

Section 1. The Jasper County Code of Ordinances, Chapter 6, Article III, Division 3, *Gate Access Program*, being codified as Section 6-80 through 6-85, is amended in the following particulars:

- a. Section 6-80, Purpose, is amended by changing the last sentence to read:

Owners of existing gates at the time of adoption of this amending Ordinance 2019-_____ not using the Click2Enter opener are required to retrofit the gates with such system no later than June 1, 2020; gates installed or renovated subsequent to September 20, 2010 were required to install the Click2Enter opener on the gate, and if not already installed, shall change to such system by June 1, 2020.

- b. Section 6-84, Standards, is amended by changing subsection 6-84(A)(2) to read:

C2E gate openers are required for commercial properties and residential properties of two or more lots that have an existing electronically operated vehicular access gate built across fire apparatus access roads in Jasper County.

Section 2. Severability. If any section, clause, paragraph, sentence or phrase of this ordinance shall, for any reason, be held to be invalid or unconstitutional, such invalid section, clause, paragraph, sentence or phrase is hereby declared to be severable; and any such invalid or unconstitutional section, clause, paragraph, sentence or phrase shall in no way affect the remainder of this ordinance; and it is hereby declared to be the intention of the County Council that the remainder of this ordinance would have been passed notwithstanding the invalidity or unconstitutionality of any section, clause, paragraph, sentence or phrase thereof.

Section 3. Effective Date. This Ordinance shall take effect upon approval by Council.

D.T. Johnson, Jr.
Chairman

ATTEST:

Tisha Williams
Acting Clerk to Council

ORDINANCE: 19-__

First Reading: September 9, 2019
Second Reading: November 4, 2019
Public Hearing: November 4, 2019
Third Reading: November 18, 2019
Adopted:

Reviewed for form and draftsmanship by the Jasper County Attorney.

David Tedder

Date